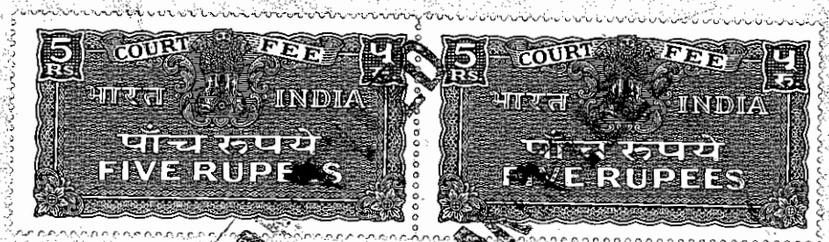

CA CA Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(CHHATTISGARH)

M.C.C. No. 769 Of 2006.

APPLICANTS :- 1. Krishna Charan Sahu, son of Palau Kolta, aged about 65 years, Cultivator,

2. Satyaraj, son of Lingraj Kolta, aged about 9 years, minor, through next friend guardian elder brother Yuvraj,

3. Naveen Kumar, son of Krishna Charan Sahu, aged about 30 years,

All Cultivators and residents of Village Bagardarha, P.C. No. 42, Revenue Circle Sankra, Tahsil and District Mahasamund (M.P.) (now Chhattisgarh).

P.R. No. 39261/06 Presented by Shri ... dated 10/11/06

VERSUS

NON-APPLICANT :- Kunjlata, daughter of Sunder Kolta, Wife of Basant Kolta, aged about 45 Years, Cultivator and resident of Village Bagardarha, P.C. No. 42, Revenue Circle Sankara, Tahsil and District Mahasamund (M.P.) (now Chhattisgarh).

S.D.M. BILASPUR TAHSIL 10/11/06

APPLICATION FOR RESTORATION OF THE CASE.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक MCC 769/06 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

27.11.2006

Shri H.B. Agrawal, Senior Advocate with Shri Jitendra Gupta, counsel for the applicants.

None for the non-applicant.

Learned counsel for the applicants submits and prays that civil revision No.806 of 1999 was dismissed by this Court vide order dated 31-10-2006, in absence of both the parties, therefore, the instant application for restoration of the same, without notice to the other parties can be heard and decided.

Considered. The prayer is allowed.

Heard finally.

On 31-10-2006 when civil revision No.806 of 1999 was called out for hearing none appeared even on second call, therefore, the revision was dismissed for want of appearance of the petitioners, who are applicants herein. Applicants, for restoration of the civil revision, have filed this application assigning reason that counsel for the petitioners, due to oversight failed to appear when the case was called for hearing. His absence was not *mala fide*. Learned counsel also in support of his contention has filed an affidavit along with the application.

I am satisfied that applicants were prevented by sufficient cause from appearing when the case was called, therefore, the order dated 31-10-2006 passed in civil revision No. 806 of 1999 is set aside and the civil revision is re-admitted for hearing.

A copy of this order be placed on the record of civil revision No.806 of 1999.

Sd/-
V.K.Shrivastava
Judge

(पीछे देखिये)